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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.  |
|--|-------------|----------------------|---------------------|-------------------|
| 10/723,120   | 11/25/2003  | David Tanner         | 2705-738            | 1268              |
| 20575  | 7590        | 03/17/2008           | EXAMINER            |                   |
| MARGER JOHNSON & MCCOLLOM, P.C.<br>210 SW MORRISON STREET, SUITE 400<br>PORTLAND, OR 97204 |             |                      |                     | JEAN GILLES, JUDE |
| ART UNIT   |             | PAPER NUMBER         |                     |                   |
| 2143   |             |                      |                     |                   |
| MAIL DATE  |             | DELIVERY MODE        |                     |                   |
| 03/17/2008   |             | PAPER                |                     |                   |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/723,120             | TANNER ET AL.       |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | JUDE J. JEAN GILLES    | 2143                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 December 2007.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18,24-28,30-34,36,37 and 47-56 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 24-28,30-34,36,37,47 and 50 is/are allowed.  
 6) Claim(s) 1,2,6-18,47 and 50 is/are rejected.  
 7) Claim(s) 3-5,48 and 49 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 25 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/21/2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2, 6-18, 47, and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable over Beadles et al. (Beadles), Patent Pub. US 20030037040 B1, in view of Richardson, U.S. Patent No. 6271845 B1

Regarding **claim 1** Beadles discloses a system comprising:  
a computer communicatively coupled to "the network device over a network (fig. 1A-F), the computer operable to:  
display a document including editable text extracted from a local copy of a configuration file for the network device, the editable text representing a plurality of

different objects that each control different functionality of the network device (*par.*

*0087-0089; par. 0059 specifically teaches system 10 clients capable of editing , and customizing application descriptions, while manage their SAI accounts);*

receive a user input modifying a selected portion of the text that corresponds to one of the objects (0011; 0026; 0027);

exchange communications with the network device immediately and prior to receiving a subsequent second user input that modifies a different portion of the text that corresponds to a different one of the objects, the communications for dynamically modifying a remote copy of the configuration file that is stored on the network device without exchanging an entire copy of the configuration file between the computer and the network device (0057, 0087, 0091, and 0118).

Although Beadles discloses substantial features of the claimed invention, Beadles does not distinctly teach generating incremental configuration changes in a network device in a dynamic fashion. Nonetheless this feature is well-known and would have been obvious modification to the system shown by Beadles as evidenced by Richardson.

In the same field of endeavor, Richardson shows a configuration displayed to a user of a device, whereas the user is capable of editing and dynamically configuring group view data in an incremental fashion. (see Richardson, column 6, 65-67, column 7, lines 1-15). In an attempt to create a system capable of generating incremental configuration changes, incorporating the features of Richardson with the teachings of Beadles make sense for an average skill in the art, in that it would facilitate a proactive

diagnosis of network management and configuration problems in a timely manner (see Richardson, column 5, lines 1-3). By this rationale, claim 1 is rejected.

Regarding **claims 2, 6-18, 47, and 50** the combination Beadles-Richardson teach:

2.(Currently amended) The system of claim 1 wherein the network device is reconfigured dynamically and interactively while the user modifies the text displayed by the computer (see Beadles; 0 118).

6.(Currently amended) The system of claim 1 wherein the network device is configured to perform syntax checking on edited lines transferred from the computer responsive to the communication exchange (see Beadles; 0 027, 0029, 0087, and 0095).

7.(Currently amended) The system of claim 1 wherein the computer is operable to use a Command Line Interface (CLI) parser installed on the network device to process the user request (see Beadles; 0 097, and 0110).

8.(Currently amended) The system of claim 7 wherein the computer does not emulate a replication of the Command Line Interface (CLI) parser of the network device(see Beadles; 0 097, and 0110).

9. (Currently amended) The system of claim 8 wherein the computer leverages the command correction capability of the network device so that changes to a command-set used for command correction on the network device does not require an update to a command-set on the computer(see Beadles; 0 027, 0029, 0055, and 0059).

10. (Currently amended) system of claim 1 wherein the computer is further operable to send the selected portion of the text to the network device without sending different unchanged portions of the text (see Beadles; 0027, 0094-0095, see how commands are being stripped out).

11. (Currently amended) The system of claim 1 further comprising:  
the computer to form a transport object;  
the computer to generate code indicating the modifications to the selected portion of the text; and  
the computer to dispose said transport object containing the code within a transport medium (see Beadles; 0087).

12. (Currently amended) The system of Claim 11 wherein said code comprises a command configured to instruct the network device to make corresponding

modifications to the remote copy of the configuration file (see Beadles; 0 027, 0029, 0055, and 0059).

13. (Currently amended) The system claim 12 wherein said command is rendered in Command Line Interface format (see Beadles; 0 097, and 0110).

14. (Currently amended) The system of Claim 11 wherein said transport medium comprises an interface and wherein said interface substantially complies with Common Object Request Broker Architecture. Note that CORBA or Common Object Request Broker Architecture is a language-independent object model and specification for a distributed applications development environment, and it is inherent to the object of this invention.

15. (Currently amended) The system of Claim 14 wherein the computer is configured to form said transport object by transport-object by embedding said code within a set of tags and wherein said tags comprise Extensible Markup Language markers (see Beadles; 0 091, and 0097).

16. (Currently amended) system of Claim 11 wherein said transport medium comprises a serial line interface. Note that RS-232 is the most common serial line interface. All personal computers have at least one RS-232 serial port and that inherently, system 10 comprises a serial line interface.

17. (Currently amended) The system of Claim 11 wherein said transport medium comprises Telnet (see Beadles; 0 115, 0120).

18. (Currently amended) The system of Claim 11 wherein said transport medium comprises Secure Shell. Note that secure shell is widely used by network administrators to control Web and other kinds of servers remotely.

47. (New) The system of claim 1 wherein the computer is configured to communicate directly with the network device such that said direct communications are not affected by or exchanged via an intermediary data processing module that generates configuration data in the form of a list or directory and restricts configuration modification to user selections from said list or directory (see Beadles, 0047, 0057).

50. (New) The system of claim 1 wherein the computer is further operable to:  
send a first code component to the network device responsive to the user modifying the text, the first code component requesting a syntax check by the network device on the modified text; and receive back a second code component indicating a syntax error in the modified text; and  
display the syntax error (see Beadles; 0087).

***Allowed Claims***

4. CLAIMS 24-28, 30-34, 36-37, 47, AND 50 ARE ALLOWED.

***Allowable Subject Matter***

5. Claims 3-5, 48, and 49 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. ***This action is made Non-Final.*** Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3301.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0800.

/Jude J Jean-Gilles/

Primary Examiner, Art Unit 2143

JJG

March 09, 2008

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